

OIP
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PAT & TRADE

AF 12653
#12
MDJ
8-07-03

MS PETITION
PATENT
0465-0791E

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Sang O. PARK Conf.: 6704
Appl. No.: 09/741,170 Group: 2653
Filed: December 21, 2000 Examiner: PSITOS, A.
For: DEVICE AND METHOD FOR CONTROLLING
OPTICAL RECORDING/REPRODUCING DEVICE

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PETITION TO WITHDRAW ABANDONMENT
SINCE REPLY WAS TIMELY FILED

MS PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 4, 2003

Sir:

In response to the Notice of Abandonment mailed June 26, 2003 and July 15, 2003, which issued in connection with the above-identified application, this is a Petition to withdraw the "abandonment status" of the present application, since a Reply was timely filed on April 16, 2003. As evidence of the fact that a Reply was timely filed, enclosed herewith are the following:

- a copy of the Reply filed April 16, 2003; and
- a copy of the postcard receipt which was date-stamped on April 16, 2003.

It is requested that the abandonment status of the present application be immediately removed so that prosecution may resume with full consideration and entry into the record of the timely filed Reply.

Appl. No. 09/741,170

If the U.S. Patent Examiner has any questions regarding the above matters, please contact Applicants' representative, Sam Bhattacharya, (Reg. No. 48,107), at the phone number listed below.

It is submitted that no fees are required for filing this Petition, since the error occurred because of a mistake on the part of the U.S. Patent and Trademark Office.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Joseph A. Kolasch, #22,463

SB

JAK/SB:sld
0465-0791P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments: Copy of Reply
Copy of postcard receipt

(Rev. 04/30/03)



COPY

BOX AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2653

PATENT
0465-0791P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Sang On PARK Conf.: 6704
Appl. No.: 09/741,170 Group: 2653
Filed: December 21, 2000 Examiner: PSITOS, A.M.
For: DEVICE AND METHOD FOR CONTROLLING
OPTICAL RECORDING/REPRODUCING DEVICE

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

HANDCARRY TO:
U.S. Patent and Trademark Office
Examining Group 2653
Crystal Park Two
6th Floor
2231 Crystal Park Drive
Arlington, VA 22202

April 16, 2003

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Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated October 16, 2002 of the Primary Examiner finally rejecting claims 1-20.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$930.00 is required for the full period of the above-requested extension of time.

COPY

Appl. No. 09/741,170

☐ An extension of _____ () month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$0.00 is required to obtain an additional _____ () month(s) for filing the Notice of Appeal.

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$320.00

☐ Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,250.00.

Payment of the above TOTAL FEE is being made in the following manner:

☒ Check(s) in the amount of \$1250.00 is/are enclosed.


☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Joseph A. Kolasch, #22,463

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(Rev. 02/20/02)



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Papers Filed herewith on: April 16, 2003 IHC
DOCKET NO.: 0465-0791P ATTY.: JAK/SB
APPLICANT(S): Sang O. Park
APPLN. NO: 09/741,170 FILED: 12-21-00
PAT NO.: _____

- ☐ New Application with Transmittal Letter
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional
☐ Filing Under 37 CFR 1.53(b) ☐ CON ☐ DIV
☐ Filing Under 37 CFR 1.53(d) (CPA)
☐ Filing Under 37 CFR 1.114(RCE)
☐ Specification Consisting of: _____
☐ Combined Declaration & Power of Attorney
☐ Assignment / Cover Letter
☐ Letter to Official Draftsman
☐ Drawings _____ Sheets ☐ Formal ☐ Informal ☐ Red-Ink
☐ Completion of Filing Requirements, PCT/DO/EO/905
or Formalities Letter and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc. _____
☐ Amendment: _____
☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity
☐ Response _____
☐ Information Discl Stmt. PTO-1449(s) _____ doc(s)
☒ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal
☒ FEES: \$ 1,250.00 * 9000636
☐ Letter: _____
☐ Other: _____

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APR 16 2003

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DOCKET NO. 0465-0791P

Receipt is hereby acknowledged of the papers filed as
indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS

Due Date: 4-16-03

Handcarry: To USPTO, Examining Group 2653
Crystal Park 2, 6F.